

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
) No. MJ-06-294
Plaintiff,)
) ORDER OF PROBABLE CAUSE,
v.) DENYING ORAL MOTION TO
) DISMISS, AND GRANTING ORAL
MIGUEL MENDOZA,) MOTION TO PRESERVE AGENT'S
) HAND-WRITTEN NOTES
Defendant.)

A probable cause hearing was held on November 30, 2006. Assistant U.S. Attorney K. Jill Bolton appeared for the United States. Defendant was present with counsel Curran Dempsey. ATF Special Agent Todd Smith testified and was cross examined. Argument was presented by both sides.

The court finds probable cause to believe that the charged offense has been committed and to believe the Defendant committed it.

IT IS ORDERED:

1. The Defendant's oral Motion to Dismiss (**Ct. Rec. 12**) is **DENIED**. Defendant, on the finding of probable cause, is bound over to the United States District Court for trial.

2. The Defendant shall remain in the custody of the U.S. Marshal pursuant to this court's Order filed November 28, 2006.

1 3. The Defendant's oral Motion to Preserve the Agent's Hand-
2 Written Notes is **GRANTED**.

3 DATED November 30, 2006.

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5 S/ CYNTHIA IMBROGNO
6 UNITED STATES MAGISTRATE JUDGE
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